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FUJ2-AZ72a  
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RESPONSE UNDER 37 CFR SECTION 1.116  
EXPEDITED PROCEDURE - GROUP 1641

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|  |                          |
|--|--------------------------|
| In re Application of:                            | Examiner: G. Gabel       |
| Yasuo Yamao, et al.                              | Group Art Unit: 1641     |
| Serial No.: 09/511,824                           |                          |
| Filed: February 24, 2000                         | April 23, 2001           |
| For: IMMUNOASSAY METHOD FOR<br>LYSED WHOLE BLOOD | Irvine, California 92614 |

SECOND RULE 116 AMENDMENT

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Assistant Commissioner for Patents  
Box AF  
Washington, D.C. 20231

Dear Sir:

In further response to the Office Action of October 24, 2001 and in accordance with the telephone conversations with the Examiner, Applicant requests that the above-identified application be amended as follows:

IN THE CLAIMS

Please cancel without prejudice Claim 8.

- 1 9. (Thrice Amended) An immunoassay method of quantifying a predetermined antigen
- 2 in a sample of whole blood, comprising the steps of:
- 3 providing a sample of the whole blood;
- 4 adding a hemolysis reagent to the sample of the whole blood to hemolyse the
- 5 blood corpuscles;

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|--|--|--------------------------|--|
| <b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b> |  | Docket No.<br>FUJ2-AZ72a |  |
| Applicant(s): Yasuo Yama et al.                    |  |                          |  |

|                          |                                  |                      |                        |
|--------------------------|----------------------------------|----------------------|------------------------|
| Serial No.<br>09/511,824 | Filing Date<br>February 24, 2000 | Examiner<br>G. Gabel | Group Art Unit<br>1641 |
|--------------------------|----------------------------------|----------------------|------------------------|

Invention: IMMUNOASSAY METHOD FOR LYSSED WHOLE BLOOD

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.  
The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED  |                                     |                             |                                |         |                   |
|--|-------------------------------------|-----------------------------|--------------------------------|---------|-------------------|
|  | CLAIMS REMAINING<br>AFTER AMENDMENT | HIGHEST #<br>PREV. PAID FOR | NUMBER EXTRA<br>CLAIMS PRESENT | RATE    | ADDITIONAL<br>FEE |
| TOTAL CLAIMS   | 3 -                                 | 20 =                        | 0 x                            | \$18.00 | \$0.00            |
| DEP. CLAIMS  | 1 -                                 | 3 =                         | 0 x                            | \$84.00 | \$0.00            |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> |                                     |                             |                                |         | \$0.00            |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT                                  |                                     |                             |                                |         | \$0.00            |

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_  
A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$1,240.00 to cover the filing fee is enclosed. Notice of Appeal \$320.00  
Three Mo. Ext. \$920.00
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2462  
A duplicate copy of this sheet is enclosed.
- ☒ Any additional filing fees required under 37 C.F.R. 1.16.
- ☐ Any patent application processing fees under 37 CFR

Signature: \_\_\_\_\_ Dated: April 23, 2002

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| I certify that this document and fee is being deposited on April 23, 2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231. |  |
| <i>Marc Fregoso</i>  |  |
| Signature of Person Mailing Correspondence   |  |
| Marc Fregoso   |  |
| Typed or Printed Name of Person Mailing Correspondence   |  |

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